

WRITTEN QUESTION E-4878/08

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to the Commission

Subject: Brescia-Bergamo-Milan motorway infringement proceedings

The concession for the construction of the Brescia-Bergamo-Milan (Bre-Be-Mi) motorway has now been held up by more than two years by infringement proceedings brought by the Commission's DG Internal Market.

Proceedings are not being brought to a close despite the fact that all the measures which Italy was required to take have apparently now been carried out. This includes a reduction in the duration of the concession and an undertaking to ensure that the work is carried out by the concessionaire through a public tender procedure.

In its communication of 5 September 2007 entitled 'A Europe of results' (COM(2007)0502) the Commission stated that it intended to make the infringement proceedings system more efficient and highlighted the importance of working in partnership with the Member States in order to clarify situations in which Community law may have been breached. Action before the Court of Justice should be seen as a last resort.

Despite this formal undertaking the Commission is still postponing the closure of proceedings and thereby leaving operators in a situation of uncertainty, which is preventing the work from being carried out.

Given the above, will the Commission close the infringement proceedings on the concession for the construction of the Brescia-Bergamo-Milan motorway definitively?